



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 20, 2020

BY CM/ECF

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Ari Teman*, S2 19 Cr. 696 (PAE)

Dear Judge Engelmayer:

The Government respectfully writes in response to defendant Ari Teman's letter motion seeking reconsideration of the Court's ruling that it will conduct an *in camera* review of the grand jury transcript in this case. Dkt. No. 132 ("Motion for Reconsideration").

For the reasons set forth in the Government's prior filing concerning disclosure of the grand jury transcript, Teman has not shown a "particularized need" for disclosure that outweighs the default "need for secrecy" in grand jury deliberations. Dkt. No. 125.¹ His new proposals for disclosure of only certain portions of the transcript or for an "attorneys eyes only" limitation still constitute a significant disclosure under Rule 6(e), and he has not shown a need for such disclosure. Nor has Teman shown that an *in camera* review of the full grand jury transcript by the Court would be inadequate. Accordingly, to the extent Teman moves for reconsideration of the Court's ruling that it will conduct an *in camera* review of the grand jury transcript in this matter, his motion should be denied.

¹ For the reasons set forth in the Government's Memorandum of Law in Opposition to Teman's Post-Trial Motions, Dkt. 112, Teman's argument for constructive amendment – his purported basis for reviewing the grand jury minutes – is without merit and does not support his particularized need for disclosure. *See* Dkt. No. 112 at 14-20. Likewise, Teman's references to suppression of evidence and government misconduct are meritless. *See* Dkt. No. 124 (addressing Teman's allegations of a purported *Brady* violation).

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However, the Government does not object to Teman's request to have the grand jury transcript and exhibits filed under seal so that they can become part of the record in this matter.

Respectfully submitted,

GEOFFREY S. BERMAN
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By: /s/
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